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Stefaan Valere Albert Coussement

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EXAMINER

MATTIS, JASON E

ART UNIT

PAPER NUMBER

2416

MAIL DATE

DELIVERY MODE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/800,679	Applicant(s) COUSSEMENT, STEFAAN VALERE ALBERT	
	Examiner JASON E. MATTIS	Art Unit 2416	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 June 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-45 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17, 31 and 32 is/are rejected.
- 7) ☒ Claim(s) 18-30 and 33-45 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|-------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action is in response to the Amendment filed 6/3/09. Due to the amendment, the previous rejections under 35 U.S.C. 101 have been withdrawn. Claims 1-45 are currently pending in the application.

Claim Objections

2. Claims 2-15 are objected to because of the following informalities: Each of these claims begins with the phrase "The agent capability application of claim". Claim 1 has been amended such that it is now directed towards "A computer readable medium". It is recommended that claims 2-15 be amended such that are consistent with the amended language of claim 1 and such that they each begin with the phrase "A computer readable medium of claim".

Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. Claims 1-15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 1, line 4 of this claim contains the limitation "a first portion". Since claim 1 has been amended to state "A computer readable medium including an agent capability application", it is unclear whether the "a first portion" refers to a portion of the "computer readable medium" or a portion of the "agent capability application". It is recommended that claim 1 be amended to state "a first portion of the agent capability application", such that it is clear that the portion is a portion of the application.

Also regarding claim 1, line 6 of this claim contains the limitation "a second portion". This limitation is unclear for the same reasons as outlined for the limitation "a first portion" above. It is recommended that claim 1 be amended to state "a second portion of the agent capability application", such that it is clear that the portion is a portion of the application.

Claims 2-15 are rejected since they each depend on rejected base claim 1.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 2, 16, 17, 31, and 32 rejected under 35 U.S.C. 103(a) as being unpatentable over Draginich et al. (U.S. Patent 6,560,329 B1) in view of Mears et al.

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(U.S. Patent 7,092,509 B1) and in further view of Doyle et al. (U.S. Patent 6,424,709 B1)

With respect to claim 1, Draginich et al. discloses an agent capability application **(See the abstract of Draginich et al. for reference to an automatic call distribution system containing and application to receive agent status and route calls to selected agents based on agent status)**. Draginich et al. also discloses monitoring target resources and rendering capability information to routing applications **(See column 6 lines 59-64 and Figure 4 of Draginich et al. for reference to monitoring agent status information and sending the status information, capability information, to a routing controller when an agent station changes state)**. Draginich et al. further discloses a first portion for collecting data regarding capability of the target agent resources **(See column 4 lines 36-45, column 6 lines 59-64 and Figures 1 and 4 of Draginich et al. for reference to agent stations 11-14 sending status information to a routing controller 20 meaning that there is a first program portion to monitor for a change in agent station status, or collect capability data, and send this information to the routing controller 20)**. Draginich et al. also discloses a second portion for integrating the data and rendering the capability information to the routing application and using a portion of the integrated capability information for routing calls to the best destination **(See column 4 lines 46-54 and Figure 1 of Draginich et al. for reference to analyzing, or integrating, the agent status data and rendering this analyzed data to be used in routing calls to a best selected agent)**. Although Draginich et al. discloses collecting and rendering

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capability data, Draginich et al. does not disclose that capability information includes application, program, and protocol capability data. Draginich et al. also does not specifically disclose monitoring by periodic polling.

With respect to claim 16, Draginich et al. discloses an agent proxy system operable in at least one communication center **(See column 3 lines 48-60 and Figure 1 of Draginich et al. for reference to a routing controller 20, which performs the function of an agent proxy system, in an automated call distribution system 10)**. Draginich et al. also discloses agent resources enabling agents to process communication events **(See column 3 lines 48-60 and Figure 1 of Draginich et al. for reference to agent stations 11-14 each having an interactive communication unit)**. Draginich et al. further discloses one or more routing applications subscribing to the one or more of the agent proxy servers **(See column 4 lines 36-54 and Figure 1 of Draginich et al. for reference to the routing controller 20 having an application to route calls based on call data and agent status data)**. Draginich et al. also discloses a communications network connecting the agent resources the applications and the one or more agent proxy servers **(See column 3 lines 48-60 and Figure 1 of Draginich et al. for reference to data links 24 that connect the agent stations 11-14 and the routing controller 20)**. Draginich et al. further discloses a capability application for monitoring capabilities of the agent resources for rendering capability information to the subscribing routing applications **(See the abstract, column 6 lines 59-64 and Figure 4 of Draginich et al. for reference to monitoring agent status information and sending the status information, capability information, to a routing controller**

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when an agent station changes state). Draginich et al. also discloses a first portion for collecting information regarding capabilities of the target agent resources **(See column 4 lines 36-45, column 6 lines 59-64 and Figures 1 and 4 of Draginich et al. for reference to agent stations 11-14 sending status information to a routing controller 20 meaning that there is a first program portion to monitor for a change in agent station status, or collect capability information, and send this information to the routing controller 20).** Draginich et al. further discloses a second portion for integrating the information and rendering the capability information to the subscribing routing application **(See column 4 lines 46-54 and Figure 1 of Draginich et al. for reference to analyzing, or integrating, the agent status data and rendering this analyzed data to be used in routing calls).** Although Draginich et al. discloses monitoring and rendering capability data, Draginich et al. does not disclose that capability information includes application, program, and protocol capability data

With respect to claim 31, Draginich et al. discloses a communication center system **(See column 3 lines 48-60 and Figure 1 of Draginich et al. for reference to an automated call distribution system 10).** Draginich et al. also discloses a method for providing agent resource capabilities to subscribing routing applications **(See column 4 lines 36-54, column 6 lines 59-64, and Figures 1 and 4 of Draginich et al. for reference to providing agent station status data to a routing controller that contains a program for routing calls).** Draginich et al. further discloses monitoring capabilities of individual agent resources by a first portion of a resource capability application **(See column 4 lines 36-45, column 6 lines 59-64 and Figures 1 and 4 of**

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Draginich et al. for reference to agent stations 11-14 sending status information to a routing controller 20 meaning that there is a first program portion to monitor for a change in agent station status, or collect capability information, and send this information to the routing controller 20). Draginich et al. also discloses integrating data from the first program portion and rendering agent resource capabilities to the subscribing routing applications by a second portion of the agent resource capability application and routing calls to the best destination using a portion of the integrated agent resource capabilities **(See column 4 lines 46-54 and Figure 1 of Draginich et al. for reference to analyzing, or integrating, the agent status data and rendering this analyzed data to be used in routing calls to a best selected agent).** Although Draginich et al. discloses monitoring and rendering capability data, Draginich et al. does not disclose that capability information includes application, program, and protocol capability data

With respect to claims 1, 16, and 31, Mears et al., in the field of communications, discloses collecting and rendering application, program, and protocol capability data of target agents for use in routing applications (See column 14 line 36 to column 15 line 26 and Figure 8 of Mears et al. for reference to a collecting and rendering agent media skill assignment information corresponding to media types that an agent is capable of handle, i.e. email, voice, WBB, etc., which each inherently include the use of different applications, programs, and protocols). Collecting and rendering application, program, and protocol capability data of target agents for use in routing applications has the advantage of allowing customer sessions

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using different media types to be efficiently routed to agents, which have the capability to receive a session of the appropriate media type.

It would have been obvious for one of ordinary skill in the art at the time of the invention, when presented with the work of Mears et al., to combine collecting and rendering application, program, and protocol capability data of target agents for use in routing applications, as suggested by Mears et al., with the system and method of Draginich et al., with the motivation being to allow customer sessions using different media types to be efficiently routed to agents, which have the capability to receive a session of appropriate the media type.

With respect to claims 1, 16, and 31, Doyle et al., in the field of communications, discloses monitoring agent capability by periodic polling (**See column 2 lines 30-39 of Doyle et al. for reference to periodically checking the status of agents**). Monitoring agent capability by periodic polling has the advantage of allowing a routing module to periodically obtain up to date agent statuses only when needed without requiring agents to constantly report changing statues, thus reducing the amount of required messaging between agents and the routing module.

It would have been obvious for one of ordinary skill in the art at the time of the invention, when presented with the work of Doyle et al., to combine monitoring agent capability by periodic polling, as suggested by Doyle et al., with the system and method of Draginich et al. and Mears et al., with the motivation being to reduce the amount of required messaging between agents and a routing module.

With respect to claims 2, 17, and 32, Draginich et al. discloses that the target agent resources comprise one or more individual agent stations in at least one communication center with the agent stations equipped with one or more communication devices **(See column 3 lines 48-60 and Figure 1 of Draginich et al. for reference to the automated call distribution system 10, a call center, having several agent stations 11-14 with each station having an interactive communication unit).**

Allowable Subject Matter

6. Claims 3-15 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

7. Claims 18-30 and 33-45 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

8. The following is a statement of reasons for the indication of allowable subject matter: Claims 3, 18, and 33 would be allowable since none of the prior art of record discloses or renders obvious multiple copies of a first portion of an application executing on platforms monitoring individual ones of agent station equipped communication

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devices, as claimed. Claims 4-15, 19-30, and 34-45 would be allowable since they each depend on one of claims 3, 18, and 33.

Response to Arguments

9. Applicant's arguments with respect to claims 1, 16, and 31 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JASON E. MATTIS whose telephone number is (571)272-3154. The examiner can normally be reached on M-F 8AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu can be reached on (571)272-3155. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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